## IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TEXAS SAN ANTONIO DIVISION

SHAWN ASHLEY,	§	
Plaintiff,	§ 8	
T technology,	§	
VS.	§	CIVIL NO.
	§	SA-17-CV-00076-OLG
CITY OF SAN ANTONIO, FIRE CHIEF	§	
CHARLES N. HOOD, IN HIS OFFICIAL	§	
CAPACITY AS FIRE CHIEF SAN	§	
ANTONIO FIRE DEPARTMENT; AND	§	
MATIAS JIMENEZ,	§	
	§	
Defendants.	§	

## **ORDER APPOINTING COUNSEL**

Before the Court is the above-styled cause of action, which was referred to the undersigned for the limited purpose of appointing trial counsel [#79]. The record reflects that the District Court accepted the undersigned's recommendation and denied Defendant's Motion for Summary Judgment on November 13, 2018, and the parties are proceeding to bench trial on Plaintiff's claim for unlawful disclosure of his confidential medical information in violation of Section 102(d) of the Americans with Disabilities Act, 42 U.S.C. § 12102, et seq. In its Order adopting the undersigned's recommendation, the District Court vacated the December 10, 2018 trial setting and directed the undersigned to appoint counsel for trial. The Court will therefore appoint Andrew J. Broadaway to represent Plaintiff in this case. The District Court will issue a new trial date following this appointment.

Pursuant to the District Court's November 13 Order, appointed trial counsel is directed to notify the Court within 14 days of this appointment of the following information related to Defendants' Motion to Strike [#74]: (1) the reason that Plaintiff requires the testimony of Dr.

Parisher, (2) the subject matter on which Dr. Parisher is expected to testify, and (3) whether the testimony is intended to be that of a fact witness or expert witness.

**IT IS THEREFORE ORDERED** that, pursuant to 28 U.S.C. § 1915(e)(1), the following attorney is appointed to represent Plaintiff in this case:

Andrew J. Broadaway
Cornell Smith Mierl Brutocao Burton, LLP
1607 West Avenue
Austin, Texas 78701
Email: abroadaway@cornellsmith.com
512.328.1540

## IT IS SO ORDERED.

SIGNED this 20th day of November, 2018.

ELIZABETH S. ("BETSY") CHESTNEY UNITED STATES MAGISTRATE JUDGE